

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DAVID COADES,**

**Petitioner,**

**v.**

**CHESTER COUNTY COURT PA-TRIAL  
COURT,  
THE ATTORNEY GENERAL OF THE  
STATE OF PENNSYLVANIA, and  
CRIMINAL ACTION MAY 2012-NO. CR-  
00190-1976,**

**Respondents.**

**CIVIL ACTION**

**NO. 12-2660**

**ORDER**

**AND NOW**, this 25th day of June, 2015, upon consideration of “Motion for Reconsideration of the Order of June 9, 2015. [sic] Because the Petitioner Erred in the Citation Under Rule 60 (b) in Petition” filed by *pro se* petitioner, David Coades (Document No. 9, filed June 18, 2015), and the “Motion for Relief from Judgement [sic] or Order under Rule 60(b)” filed by *pro se* petitioner, David Coades (Document No. 7, filed December 24, 2014), for the reasons set forth in the accompanying Memorandum dated June 25, 2015, **IT IS ORDERED** as follows:

1. “Motion for Reconsideration of the Order of June 9, 2015. [sic] Because the Petitioner Erred in the Citation Under Rule 60 (b) in Petition” filed by *pro se* petitioner, David Coades, is **GRANTED**; and,

2. “Motion for Relief from Judgement [sic] or Order under Rule 60(b)” filed by *pro se* petitioner, David Coades, which is based on *Martinez v. Ryan*, 566 U.S. \_\_\_\_\_, 132 S. Ct. 1309 (2012), is **DISMISSED AS UNTIMELY FILED**. To the extent that *pro se* petitioner

relies on and *Trevino v. Thaler*, 569 U.S. \_\_\_\_\_, 133 S. Ct. 1911 (2013), as a basis for relief, the Rule 60(b) Motion is **DENIED**.

**IT IS FURTHER ORDERED** that a certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural ruling with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

**/s/ Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**